



[7590-01-P]

NUCLEAR REGULATORY COMMISSION

[Docket No. NRC-2014-0083]

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of pending NRC action to submit an information collection request to the Office of Management and Budget (OMB) and solicitation of public comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) invites public comment about our intention to request the OMB's approval for renewal of an existing information collection that is summarized below. We are required to publish this notice in the *Federal Register* under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

Information pertaining to the requirement to be submitted:

1. *The title of the information collection:* Notice of Enforcement Discretion for Operating Power Reactors and Gaseous Diffusion Plants (NRC Enforcement Policy).
2. *Current OMB approval number:* 3150-0136.
3. *How often the collection is required:* On occasion.

4. *Who is required or asked to report:* Those licensees that voluntarily request enforcement discretion through the notice of enforcement discretion (NOED) process, and are granted enforcement discretion.
5. *The number of annual respondents:* 12.
6. *The number of hours needed annually to complete the requirement or request:* 1492.
7. *Abstract:* The NRC's Enforcement Policy includes the circumstances in which the NRC may grant an NOED. On occasion, circumstances arise when a power plant licensee's compliance with a Technical Specification (TS) Limiting Condition for Operation or any other license condition would involve an unnecessary plant shutdown. Similarly, for a gaseous diffusion plant, circumstances may arise where compliance with a Technical Safety Requirement (TSR) or other condition would unnecessarily call for a total plant shutdown, or, compliance would unnecessarily place the plant in a condition where safety, safeguards or security features were degraded or inoperable.

In these circumstances, a licensee or certificate holder may request that the NRC exercise enforcement discretion, and the NRC staff may choose to not enforce the applicable TS, TSR, or other license or certificate condition. This enforcement discretion is designated as a NOED.

A licensee or certificate holder seeking the issuance of an NOED must document the safety basis for the request, including an evaluation of the safety significance and potential consequences of the proposed request, a description of proposed compensatory measures, a justification for the duration of the request, the basis for the licensee's or certificate holder's conclusion that the request does not have a potential adverse impact on the public health and safety, and does not involve adverse consequences to the environment, and any other information the NRC staff deems necessary before making a decision to exercise discretion.

In addition, the NRC's Enforcement Policy includes a provision allowing licensees to voluntarily adopt fire protection requirements contained in the National Fire Protection Association Standard 805, "Performance Based Standard for Fire Protection for Light Water Reactor Electric Generating Plants, 2001 Edition" (NFPA 805). Licensees who wish to implement the risk-informed process in NFPA 805 must submit a letter of intent to the NRC. Licensees who wish to withdraw from the NFPA 805 risk informed process must submit a letter of retraction.

Submit, by **(INSERT DATE 60 DAYS AFTER PUBLICATION IN THE FEDERAL REGISTER)**, comments that address the following questions:

1. *Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?*
2. *Is the burden estimate accurate?*
3. *Is there a way to enhance the quality, utility, and clarity of the information to be collected?*
4. *How can the burden of the information collection be minimized, including the use of automated collection techniques or other forms of information technology?*

The public may examine and have copied for a fee publicly-available documents, including the draft supporting statement, at the NRC's Public Document Room, Room O-1F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852. The OMB clearance requests are available at the NRC's Web site: <http://www.nrc.gov/public-involve/doc->

[comment/omb/](#). The document will be available on the NRC's home page site for 60 days after the signature date of this notice.

Comments submitted in writing or in electronic form will be made available for public inspection. Because your comments will not be edited to remove any identifying or contact information, the NRC cautions you against including any information in your submission that you do not want to be publicly disclosed. Comments submitted should reference Docket No. NRC-2014-0083. You may submit your comments by any of the following methods: Electronic comments go to <http://www.regulations.gov> and search for Docket No. NRC-2014-0083. Mail comments to Acting NRC Clearance Officer, Kristen Benney (T-5 F50), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

Questions about the information collection requirements may be directed to the Acting NRC Clearance Officer, Kristen Benney (T-5 F50), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-6355, or by e-mail to INFOCOLLECTS.Resource@NRC.GOV.

Dated at Rockville, Maryland, this 8th day of April, 2014.

For the Nuclear Regulatory Commission.

Kristen Benney,
Acting NRC Clearance Officer,
Office of Information Services.

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